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STANDARD INSURANCE COMPANY

16 UNITED STATES DISTRICT COURT  
17 SOUTHERN DISTRICT OF CALIFORNIA  
18

19 DAVID FELT,

20 Plaintiff,

21 v.

22 STANDARD INSURANCE  
COMPANY and DOES 1 through 50,

23 Defendants.  
24

**Case No. 08 CV 0801 DMS CAB**

**JOINT DISCOVERY PLAN**

25 The parties hereby submit the following joint discovery plan:

26 **I. Introduction**  
27

28 This is a long-term disability case originally filed by plaintiff in state court alleging breach

1 of contract and bad faith. Defendant removed to federal court and the parties were instructed to  
2 lodge a Discovery Plan by July 2, 2008.

3 **II. Documents**

4 a. The parties have assembled the Administrative Record (insurance claims file)  
5 pursuant to the Court's Order following the Early Neutral Evaluation Conference.

6 b. Defendant served its Initial Disclosure on June 27, 2008, pursuant to Rule  
7 26(a)(1)(A-D) as required by the Court's Order following the Early Neutral Evaluation  
8 Conference, Settling Rule 26 Compliance.

9 c. Plaintiff served his Initial Disclosure on July 1, 2008, as required by the Court's  
10 Order and pursuant to Rule 26(a)(1)(A-D) following the Early Neutral Evaluation Conference,  
11 Settling Rule 26 Compliance.

12 **III. Mediation**

13 The parties are discussing the possibility of an early settlement conference before  
14 beginning extensive discovery.

15 **IV. Discovery**

16 The parties anticipate deposing the plaintiff, claims personnel, supervisors, medical  
17 providers, medical evaluators and vocational rehabilitation specialists who have been identified in  
18 the documents that have been exchanged through their respective Initial Disclosures, and other  
19 persons as appropriate based upon further discovery and analysis.

20 Plaintiff anticipates propounding the following discovery: Plaintiff may need to propound  
21 interrogatories to ascertain the last known addresses and/or whereabouts of the persons identified  
22 in the documents. Plaintiff may need to depose a person or persons most qualified from  
23 Defendant Company. Plaintiff may need to propound interrogatories, request for admissions and  
24 additional document discovery regarding Defendant's denial and claims handling policies and  
25 procedures.

26 Defendant anticipates propounding the following discovery: Defendant plans to propound  
27 written discovery relating to the allegations of the complaint, and to depose the plaintiff.  
28 Defendant will depose medical providers or other persons with knowledge of plaintiff's medical

1 condition or other information relevant to his contract or tort claims.

2 **V. Deadlines**

3 The parties propose that at the telephonic Status Conference, the Magistrate Judge set  
4 dates in accordance with the following deadlines agreed upon by the parties:

- 5 a. Deadline for completion of fact discovery: January 1, 2009;  
6 b. Expert Designation: January 15, 2009;  
7 c. Expert Rebuttal Designation: February 15, 2009;  
8 d. Deadline for hearing dispositive motions: March 15, 2009; and  
9 e. Trial Date: June 1, 2009.

10 Dated: June 30, 2008

**ILER & ILER, LLP**

12 By: /s/ Brooks L. Iler

13 Brooks L. Iler  
14 Attorney for Plaintiff  
15 DAVID FELT

16 Dated: June 30, 2008

**JONES DAY**

18 By: /s/ Katherine S. Ritchey

19 Katherine S. Ritchey  
20 Attorney for Defendant  
21 STANDARD INSURANCE COMPANY  
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**CERTIFICATE OF SERVICE**

I, Hollis R. Peterson, declare:

I am a citizen of the United States and employed in San Diego County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 12265 El Camino Real, Suite 200, San Diego, CA 92130. On June 30, 2008, I served a copy of the JOINT DISCOVERY PLAN by electronic transmission.

I am familiar with the United States District Court, Southern District of California's practice for collecting and processing electronic filings. Under that practice, documents are electronically filed with the court. The court's CM/ECF system will generate a Notice of Electronic Filing (NEF) to the filing party, the assigned judge, and any registered users in the case. The NEF will constitute service of the document. Registration as a CM/ECF user constitutes consent to electronic service through the court's transmission facilities. Under said practice, the following CM/ECF users were served:

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Attorneys for Plaintiff DAVID FELT

Executed on June 30, 2008, at Los Angeles, California.

/s/  
Hollis R. Peterson